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Attorney for Plaintiff

**UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
Western Division**

ANJELICA DUNN

Against

NORTHSTAR LOCATION
SERVICES, LLC

Case No.:

COMPLAINT for violations of the Fair
Debt Collection Practices Act, 15 U.S.C.
§ 1692 *et seq.* and the Rosenthal Fair
Debt Collections Practices Act, Cal. Civ.
Code § 1788 *et seq.*

Plaintiff Anjelica Dunn ("Plaintiff" or "Dunn") by and through her attorneys,
The Law Offices of Jonathan A. Stieglitz, as and for its Complaint against
Defendant Northstar Location Services, LLC ("Defendant") respectfully sets forth,
complains and alleges, upon information and belief, the following:

JURISDICTION AND VENUE

1. The Court has jurisdiction over this matter pursuant to 28 U.S.C.
§ 1331, as well as 15 U.S.C. § 1692 *et seq.* and 28 U.S.C. § 2201. The Court
also has pendant jurisdiction over the State law claims in this action pursuant
to 28 U.S.C. § 1367(a).

1 7. On information and belief, on a date better known to Defendant,
2 Defendant began collection activities on an alleged consumer debt from the
3 Plaintiff (“Alleged Debt”).
4

5 8. The Alleged Debt was incurred as a financial obligation that was
6 primarily for personal, family or household purposes and is therefore a
7 “debt” as that term is defined by 15 U.S.C. § 1692a(5).
8

9 9. On or around July 25, 2016, Plaintiff received a collection letter from
10 Defendant.
11

12 10. The collection letter states: “The creditor may be required by law to
13 report this settlement to taxing authorities.”
14

15 11. This statement is both false and deceptive as there are many factors
16 which make up the requirement to file a 1099C. (See Good v. Nationwide
17 Credit, Inc., finding that the statement “American express is required to file a
18 form 1099C with the Internal Revenue Service for any canceled debt of \$600
19 or more. Please consult your tax advisor concerning any tax questions,” is not
20 true and does not accurately reflect the relevant law. The court also found
21 that the statement’s invocation of the IRS was deceptive and materially
22 misleading.)
23
24

25 12. This letter does not indicate how much of the current balance is
26 interest and how much is principal.
27
28

1 13. The letter fails to disclose to consumers that there is a distinction
2 between principal and interest in regards to IRS requirements.

3
4 14. Even the most sophisticated tax professional cannot issue an opinion
5 without this information and it only acts to overshadow the settlement offer.

6 15. As a result of Defendant's deceptive, misleading and unfair debt
7 collection practices, Plaintiff has been damaged.
8

9
10
11 **FIRST CAUSE OF ACTION**
12 **(Violations of the FDCPA)**

13 16. Plaintiff incorporates by reference all of the above paragraphs of this
14 Complaint as though fully stated herein with the same force and effect as if
15 the same were set forth at length herein.
16

17 17. Defendant's debt collection efforts attempted and/or directed towards
18 Plaintiff violate various provisions of the FDCPA, including but not limited
19 to 15 U.S.C. §§ 1692e, 1692e(2), 1692e(5), 1692e(8), 1692e(10) and 1692f.
20

21 18. As a result of the Defendant's violations of the FDCPA, Plaintiff has
22 been damaged and is entitled to damages in accordance with the FDCPA.
23

24 **SECOND CAUSE OF ACTION**
25 **(Violations of the RFDCPA)**
26
27
28

19. Plaintiff incorporates by reference all of the above paragraphs of this Complaint as though fully stated herein with the same force and effect as if the same were set forth at length herein.

20. The RFDCPA requires debt collectors to comply with the FDCPA, and a violation of the FDCPA is also a violation of the RFDCPA. Cal. Civ. Code § 1788.17.

21. The remedies under the FDCPA and RFDCPA are cumulative, and Plaintiff is entitled to damages under both acts.

22. Upon information and belief, Defendant willfully and knowingly committed the violations of the FDCPA and RFDCPA described herein, and Plaintiff is entitled to statutory damages pursuant to Cal. Civ. Code § 1788.30(b).

PRAYER FOR RELIEF

WHEREFORE, Plaintiff demands judgment from the Defendants as follows:

a) For actual damages provided and pursuant to 15 U.S.C. § 1692k(a)(1) and Cal. Civ. Code § 1788.30(a);

b) For statutory damages provided and pursuant to 15 U.S.C. § 1692k(a)(2)(A) and Cal. Civ. Code § 1788.30(b);

c) For attorney fees and costs provided and pursuant to 15 U.S.C. § 1692k(a)(3) and Cal. Civ. Code § 1788.30(c);

